

Order

**Michigan Supreme Court
Lansing, Michigan**

April 25, 2011

Robert P. Young, Jr.,
Chief Justice

141945 & (22)

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 141945
COA: 298283
Muskegon CC: 93-035864-FC

HEATH JAMES TYLER,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the August 3, 2010 order of the Court of Appeals is considered, and it is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D). The motion for appointment of counsel is DENIED.



h0418

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 25, 2011

Corbin R. Davis

Clerk